THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :2652 of 2007

DATED:13-02-2007

Nemami Nagamani & another.

.....
PETITIONERS

AND

The Additional Agent to Government,
East Godavari District at Rampachodavaram, & 4 others.

.....RESPONDENTS

ORDER:

Heard the learned counsel for the petitioners as well as the learned Government Pleader for Social Welfare appearing for the respondents.

2. Petitioner seeks a writ of mandamus declaring the action of the respondents in evicting the petitioner from the land to an extent of Ac.0.62 in Sy.No.73/1, and Ac.2.00 in Sy.No.24/3 of Bheemudupakalu village, Addateegala mandal, East Godavari District respectively in pursuance of the order passed by the 1st respondent in C.M.A.No.88 of 2005, dated 06-01-2007, pending disposal of the revision filed before the 5th respondent, as illegal and arbitrary

3. It is stated that insofar as the land situated in the schedule area admeasuring Ac.2.00 in Sy.No.24/3 and Ac.0.62 cents of land in Sy.No.73/1 situated at Bheemudupakala village, Addateegala mandal, East Godavari District, Case No.LTRP.No.222/04 was dismissed by order, dated 23-12-2004, by the 2nd respondent-Special Deputy Collector (Tribal Welfare), Rampachodavaram. Aggrieved thereby, the Special Deputy Tahsildar (Tribal Welfare) filed C.M.A.No.88 of 2005 in LTRP.No.222 of 2004 before the 1st respondent-Additional Agent to the Government, Rampachodavaram, and the Appellate Authority by order, dated 06-01-2007, allowed the appeal stating that the said land was also in illegal possession of the petitioners herein. Aggrieved by

the same, the petitioner filed a representation before the Government on 06-02-2007 alongwith an application for grant of stay. It is stated that even before the disposal of the representation, the respondents are taking steps to evict the petitioner.

4. I am not inclined to express any opinion on merits of the case. It is for the revisional authority to consider and pass appropriate orders with regard to their illegality and unauthorized possession, in accordance with law.

5. Accordingly, the writ petition is disposed of directing the 4th respondent to consider and dispose of the revision filed against the C.M.A.No.88 of 2005 in accordance with law. Till then, *status quo* obtaining as on today shall be maintained. No order as to costs.

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V.ESWARAIAH,J

13th February, 2007.
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